

RESPONSE UNDER 37 C.F.R. § 1.116
U.S. Application No. 09/988,181

performance characteristics of golf balls with respect to different performance criteria, construction of the golf balls, and the manner in which those golf balls are used.

Furthermore, unlike Connell, the present invention provides a specific structure in which the performance criteria of the golf balls, as an example, is laid out on the package. The claims require a generally rectangular indication section formed on the package for indicating a plurality of performance characteristics of the golf ball. The section includes two or more subsections, each of which comprises an icon and a first set of descriptive information to identify the performance characteristic of the golf ball. Clearly, there is no teaching or suggestion in Connell of providing information in the manner as disclosed and claimed in the present application.

In addition, Applicants are not attempting to provide protection of the printed matter, that is, the precise words used to provide the characteristic description of the golf balls. Rather, the present invention covers the manner in which such information is provided on a box in order to inform a user of precisely the type of product contained within the package. This information provides both a written description and an icon (graphical indication) of various characteristics and performance characteristics of the golf ball, including those characteristics based on the manner in which the golf ball is used. For example, the information provides spin by the use of an iron, verses the trajectory when hit by a driver.

In contrast, Connell does not provide this type of information but merely provides the picture of the product enclosed, which would be tantamount to the golf ball package illustrating a golf ball to illustrate that a golf ball is inside. In this regard, the present invention is clearly distinguishable from the applied art.

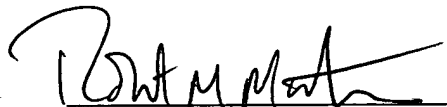
Further, claims such as claim 30 requires the use of color-encoded identification marks. Clearly, this is neither taught nor suggested in the applied art.

For all of the foregoing reasons, Applicant respectfully submits that claims 12-43 are in condition for immediate allowance. It is therefore requested that the application be passed to issuance at the earliest possible time. Should any other issues remain, the Examiner is respectfully requested to contact the undersigned attorney at the local telephone exchange listed below.

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Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert M. Masters", written over a horizontal line.

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